

REMARKS

Claim 1 is pending. Claim 1 has been amended. Claims 2-13 have been canceled. Claims 14-27 are new. Support for the new claims can be found throughout the application, for example in Table 1 on page 18. No new matter has been added.

Importantly, neither the claim amendments nor the cancellations should be construed to be an acquiescence to any of the claim rejections. Rather, said amendments and cancellations are being made solely to expedite the prosecution of the instant application. The Applicants expressly reserve the right to prosecute further the same or similar claims in subsequent patent applications claiming the benefit of priority to the instant application. 35 U.S.C. §§ 120-121. Favorable reconsideration is respectfully requested in view of the following remarks.

RESPONSE TO CLAIM REJECTIONS UNDER 35 U.S.C. § 112 ¶2

Claims 1 and 2 were rejected for failing to point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner points out that “B” in formula I has not been defined in the claims; and that “T” has two distinct definitions. The rejection of claim 1 and claim 2 will be addressed separately below.

Claim 1

Claim 1 has been amended to add a definition of B. The Applicants rely on the definition of B provided in the specification, on page 5, line 4, to add “B is -O-, -N(H)-, -C(=O)N(H)-, or -N(H)C(=O)-” to claim 1.

To correct a typographical error, claim 1 has been amended to replace “n” with “m”.

To more clearly claim the elected invention, claim 1 has also been amended to separate out the definitions of X, Y and Z₁. In addition, solely to expedite prosecution, -SH and -SR have been removed from the definition of X, Y and Z₁. With the removal of -SR, the definition of R has also been removed from the claim because R only appears in -SR.

In order to conform the claim to the elected invention, claim 1 has been amended to remove Formula II, Formula III, Formula IV, and Formula V from the claim. In addition, the definitions of Z₂, Z₄, R₁, R₂, R₃, R₄, R₅, R₆, R₇, R₈, V, and ϕ , as well as the first definition of T (which should in fact be a Q; see page 5, line 19, of the specification), have also been removed from the claim because they do not appear in Formula I.

In light of these amendments, the Applicants respectfully request the withdrawal of the rejection of claim 1 under 35 U.S.C. § 112 ¶2.

Claim 2

The compound elected for search purposes appears in claim 2, along with compounds of Formula V. As was discussed by phone with the Examiner (on September 12, 2007), upon the recent realization that the first definition of T should in fact be a definition of Q, it has now been appreciated that the compound elected for search purposes no longer falls within the scope of the invention. Therefore, as suggested by the Examiner, because the compounds of claim 2 are not drawn to the elected invention the claim has been canceled, rendering the rejection of claim 2 moot.

FEES

Apart from the request for a three-month extension of time requested herewith, the Applicants believe there are no fees dues in connection with the filing of this Response. Nevertheless, the Commissioner is hereby authorized to charge any required fees to our Deposit Account No. **06-1448**, Reference: **MAA-012.01**.

CONCLUSION

The Applicants believe that the pending claims are in condition for allowance. If a telephone conversation with Applicants' Agent would expedite prosecution of the above-identified application, the Examiner is urged to contact the undersigned.

Respectfully submitted,
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